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**IN THE
COURT OF APPEALS OF INDIANA**

GLEN HOBBS,

Appellant-Defendant,

VS.

STATE OF INDIANA,

Appellee-Plaintiff.

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No. 48A02-0606-CR-459

APPEAL FROM THE MADISON SUPERIOR COURT
The Honorable Thomas Newman, Jr., Judge
Cause No. 48D03-0504-FA-176

March 29, 2007

MEMORANDUM DECISION - NOT FOR PUBLICATION

KIRSCH, Judge

Glen Hobbs was convicted of child molesting¹ as a Class C felony and was sentenced to six years. He appeals, raising two issues, of which we find one dispositive: whether his six-year sentence was appropriate based on the nature of his offense and the character of the offender.²

We affirm.

FACTS AND PROCEDURAL HISTORY

Hobbs was convicted of molesting his step-granddaughter, B.C. The molestation occurred more than twice a month over the course of many years.

At sentencing, the trial court found the following aggravators: (1) Hobbs, as B.C.'s step-grandfather, violated a position of trust; (2) Hobbs's abusive behavior affected many people within the family unit; and (3) Hobbs's abusive behavior would have a long-term psychological effect on B.C. *Appellant's App.* at 73-74. The trial court also recognized, but gave little weight to the following mitigators: (1) Hobbs had no history of delinquency or criminal activity; (2) imprisonment of Hobbs may result in undue hardship for Hobbs's wife; and (3) Hobbs showed some remorse after being caught. *Id.* at 72-73. The trial court found that the aggravating factors greatly outweighed the mitigating factors, and sentenced Hobbs to six years. Hobbs now appeals.

¹ See IC 35-42-4-3(b).

² Hobbs also contends that the trial court abused its discretion when it identified and balanced the aggravating and mitigating factors. Sentencing determinations are within the discretion of the trial court. *Fuller v. State*, 852 N.E.2d 22, 26 (Ind. Ct. App. 2006), *trans. denied*. Hobbs specifically contends that the trial court erred in considering the impact on the family as an aggravator and that the trial court failed to give sufficient weight to the mitigating factors of his lack of criminal history, the undue hardship prison would have on his wife, and his remorse. However, "a challenge to the trial court's sentencing statement presents no issue for appellate review." *McDonald v. State*, No. 20A03-0605-CR-229, 861 N.E.2d 1255, 1259 (Ind. Ct. App. 2007).

DISCUSSION AND DECISION

Hobbs asserts that the trial court imposed a sentence that was inappropriate in light of the nature of the offense and character of the offender. Indiana Appellate Rule 7(B) states, “[t]he Court may revise a sentence authorized by statute if, after due consideration of the trial court’s decision, the Court finds that the sentence is inappropriate in light of the nature of the offense and the character of the offender.” *Buggs v. State*, 844 N.E.2d 195, 204 (Ind. Ct. App. 2006), *trans. denied*. Our review under Appellate Rule 7(B) is extremely deferential to the trial court. *Pennington v. State*, 821 N.E.2d 899, 903 (Ind. Ct. App. 2005).

As to the nature of the offense, Hobbs committed the offense of child molestation, which occurred more than twice a month over the course of many years. Hobbs molested B.C. from approximately the time she was six to fourteen-years old. *Tr.* at 207. He violated his position of trust to his step-granddaughter, B.C., and the offense will have long-term psychological effects on B.C., who already suffers from nightmares, depression, and family and emotional injuries due to the molestation. *Appellant’s App.* at 15.

As to the character of the offender, Hobbs was predatory and calculating concerning his choice of victim. He chose to molest B.C. because she was quiet and introverted. *Tr.* at 222. Additionally, he did not show remorse until after he was caught. Hobbs did not seek counseling or confide with anyone about the molestation until after he was charged. Even at that point, Hobbs initially blamed B.C. for the molestation because she was an “affectionate child,” and he did not take responsibility for his actions until he was presented with a stress test. *Id.* at 295. We conclude that a six-year sentence was appropriate in light of the nature of the offense and Hobbs’s character.

Affirmed.

RILEY, J., and FRIEDLANDER, J., concur.